Joseph H. Lessem (JL 1522) GRAUBARD MILLER The Chrysler Building 405 Lexington Avenue New York, NY 10174 (212) 818-8800

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

JAMES RUSSO, :

07 Civ. 5469 (WHP)

Plaintiff,

- against -

MP 222 LLC, 222 EAST 95TH STREET : RULE 7.1 STATEMENT OF DEFENDANT MP222 LLC

OWNERS CORP., COMMISSIONER OF SOCIAL SERVICES OF THE CITY OF NEW YORK, : NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE, MERRILL LYNCH: CREDIT CORPORATION and INTERNAL REVENUE SERVICE OF THE UNITED STATES: OF AMERICA.

Defendants.

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Pursuant to Federal Rule of Civil Procedure 7.1. and to enable the District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for defendant MP222 LLC (a private non-governmental party) certifies that there are no corporate parents, affiliates and/or subsidiaries of said party which are public held

Dated: July 23, 2007 GRAUBARD MILLER

By: Jøseph H. Lessem (JL 1522)

405 Lexington Avenue New York, NY 10174

(212) 818-8800

Attorneys for Defendant MP 222 LLC

## CERTIFICATE OF SERVICE

I certify that on July 23, 2007, I caused the foregoing RULE 7.1 STATEMENT OF

DEFENDANT MP222 LLC to be served on the counsel and parties listed below by first class

mail.

Dated: July 23, 2007

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